

Atty Dkt. No.: 10010730-2
USSN: 10/008,598

REMARKS

In view of the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 11-13, 16 and 17, as well as new Claims 68 to 93, the only claims pending and currently under examination in this application following entry of the above amendments.

Claim 1 has been amended to specify that the claimed device is dimensioned for placement into an optical scanner. Support for this amendment, as well as for new Claims 68 to 79, is found in the specification at page 9, paragraphs 30 and 31. New Claims 80 to 86 find support in paragraph 32, as well as in the remaining claims. New Claims 87 to 93 find support in paragraphs 30 and 31, and the remaining claims. Finally, new claim 94 finds support throughout the specification, e.g., paragraph 49 and the following paragraphs. As such, no new matter has been added and entry of the above amendments and new claims is therefore respectfully requested.

Claims 1-13, 16 and 17 have been rejected under 35 U.S.C. § 102(b) over either Adler or Cole. All of the pending claims now require the device to be dimensioned for placement into an optical scanner. This element is not present in either Adler or Cole because the devices described in these references are not for placement into an optical scanner. Instead, the Adler device is a sensor device and the Cole device is directed to an interconnect structure for use in electronic applications, both of which devices are not employed in an array scanner. As such, the cited references fail to teach or suggest the claimed calibration device and this rejection may be withdrawn.

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CONCLUSION

In view of the above amendments and remarks, this application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issuance.

If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided. The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-1078.

Respectfully submitted,

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